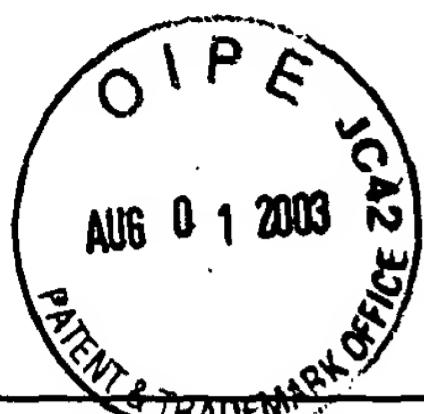


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**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**
Attorney's Docket No.:
BAL6019P0011US


In Re Application Of:	Claude Hope		
Serial Number:	09/429,723	Filed:	10/29/99
For: Mutant Apical Dominance Gene in Eustoma			
Group Art Unit:	1661	Examiner:	Marie Grunberg

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant hereby appeals to the Board of Appeals and Interferences from the decision of the Examiner dated 4/29/03, rejecting claims 19-37, 39, and 40.

The item(s) checked below are appropriate.

1. Applicant claims small entity status. (See 37 CFR 1.27.)
 A Statement Claiming Small Entity Status is enclosed.
2. Appeal fee (37 CFR 1.17(b))
 Large Entity - \$320.00 Small Entity - \$160.00
3. A petition and fee for an extension of time for reply to the rejection is enclosed.
 Large Entity
 \$110.00 \$410.00 \$930.00 \$1,450.00
 Small Entity
 \$55.00 \$205.00 \$465.00 \$725.00
4. A check for the amount of \$320.00 is enclosed.
5. Please charge the fee(s) to Deposit Account Number 23-0785. A duplicate copy of this sheet is attached.
6. Please charge any additional fee(s), or credit any overpayment, to Deposit Account Number 23-0785. A duplicate copy of this sheet is enclosed.

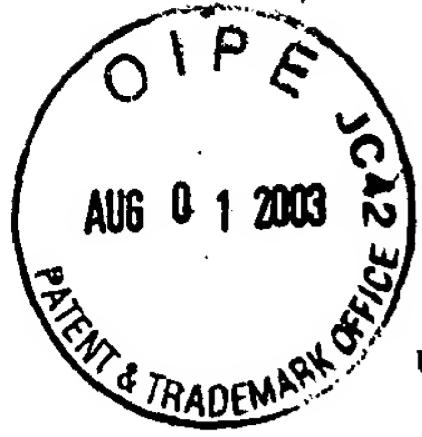
08/04/2003 EBERHE 00000018 09429723

01 FC:1401

320.00 OP

I am: applicant.
 assignee of record of the entire interest.
 attorney or agent of record
 attorney or agent acting under 37 C.F.R. 1.34(a).

Lisa V. Mueller, Reg. No. 38,978



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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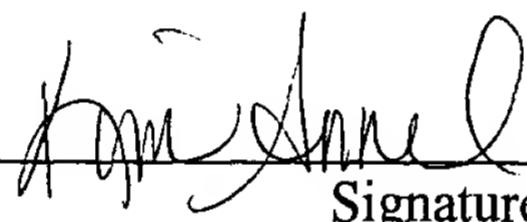
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Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.